

Effective 3/3/2014

Superseded 7/1/2015

49-14-501 Death of active member in Division A -- Payment of benefits.

- (1) If an active member of this system enrolled in Division A under Section 49-14-301 dies, benefits are payable as follows:
 - (a) If the death is classified by the office as a line-of-duty death, the spouse at the time of death shall receive a lump sum of \$1,000 and an allowance equal to 30% of the deceased member's final average monthly salary.
 - (b) If the death is not classified by the office as a line-of-duty death, benefits are payable as follows:
 - (i) If the member has accrued less than 10 years of public safety service credit, the beneficiary shall receive the sum of \$1,000 or a refund of the member's member contributions, whichever is greater.
 - (ii) If the member has accrued 10 or more years of public safety service credit at the time of death, the spouse at the time of death shall receive the sum of \$500, plus an allowance equal to 2% of the member's final average monthly salary for each year of service credit accrued by the member up to a maximum of 30% of the member's final average monthly salary.
- (2) Except as provided under Subsection (1)(b)(i), benefits are not payable to minor children of members covered under Division A.
- (3) If a benefit is not distributed under this section, and the member has designated a beneficiary, the member's member contributions shall be paid to the beneficiary.
- (4)
 - (a) A spouse who requests a benefit under this section shall apply in writing to the office.
 - (b) The allowance shall begin on the first day of the month following the month in which the:
 - (i) member died, if the application is received by the office within 90 days of the member's death; or
 - (ii) application is received by the office, if the application is received by the office more than 90 days after the member's death.